

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

AMY MAY,

Plaintiff,

v.

BRUCE K. BRUNTON, et al.,

Defendants.

CASE NO: 12-CV-2860 W (MDD)

**ORDER:**

- (1) VACATING PRETRIAL CONFERENCE;
- (2) REQUIRING DEFENDANTS TO SHOW CAUSE WHY SANCTIONS SHOULD NOT ISSUE; AND
- (3) GRANTING PLAINTIFF'S EX PARTE APPLICATION [DOC. 50]

On April 11, 2013, Magistrate Judge Mitchell D. Dembin issued a case-management order that scheduled the pretrial conference for Monday, March 24, 2014. (CM Order [Doc. 29] ¶ 12.) The order also required the parties to submit informal letter briefs no later than March 17, 2014. (*Id.* ¶ 11.) Because the parties failed to comply with the order, on March 20, 2014 this Court continued the pretrial conference to Monday, May 19, 2014. (*Order* [Doc. 49] 2:17–18.) This Court also ordered that the parties “shall separately submit informal letter briefs . . . no later than May 14, 2014” and specifically “warned” the parties that “any further failures to follow . . . this Court’s Chambers Rules . . . will result in sanctions.” (*Id.* 2:14–22.)

To date, Defendants have not submitted their letter brief. This constitutes the second time Defendants have ignored a court order in this case and this Court’s

1 Chambers Rules. Accordingly, the Court ORDERS Defendants TO SHOW CAUSE  
2 why sanctions should not be issued, as follows:

- On or before May 21, 2014, Defendants shall file a brief, not exceeding 5 pages, explaining their failure to comply with two court orders in this case and why they should not be sanctioned \$1,000.

In light of Defendants failure to file their letter brief, the Court **VACATES** the May 19, 2014 pretrial conference, and **FURTHER ORDERS**:

- The final pretrial conference shall be held on June 30, 2014 at 10:30 a.m.
  - In light of Defendants repeated failure to file the letter brief, Defendants' informal letter brief is due on or before June 18, 2014. The letter brief shall be submitted directly to Chambers, shall not exceed two single-spaced pages, and must comply with any other requirements set forth in this Court's Chambers Rules. Altough Plaintiff has already submitted a letter brief, Plaintiff may submit an amended brief by June 30, 2014.

Finally, pending before the Court is Plaintiff's ex parte application to excuse Attorney Christopher Brancart from attending the pretrial conference. Having reviewed the application and good cause appearing, the Court **GRANTS** the application [Doc. 50], and excuses Attorney Brancart from attending the June 16, 2014 pretrial conference.

## IT IS SO ORDERED.

DATE: May 16, 2014

  
Hon. Thomas J. Whelan  
United States District Judge